

**AGENDA**

Meeting #5 Regular

Livingston Township Council

Monday, March 9, 2020

**Livingston Town Hall—357 S. Livingston Avenue—7:30 p.m.**

Notice of this meeting has been given in accordance with the "Open Public Meetings Law."  
"Annual Notice" was faxed to the West Essex Tribune and the Star-Ledger on January 2, 2020.

**Statement of Decorum**

*Pursuant to Township Code Section 2-15, while the Township Council is in session, any person who desires to address the Council must first be recognized by the presiding officer. Recognized speakers must make their statements within six cumulative minutes, unless such time is extended by the Council. Appropriate decorum is to be observed at all times.*

1. Roll Call
2. Silent Meditation and Pledge of Allegiance
3. Presentations
4. Essex County Update/Questions
5. Public Comments on Agenda Items
- 6.\* Resolution - Consent Agenda [Includes All Items Marked "\*\*\*"] R-20-94 Packet
- 7.\* Approval of Minutes
  - a) February 24, 2020 Packet
- 8.\* Approval of Licenses
9. Final Hearing Ordinances.
10. Proposed Ordinances
11. Resolutions
  - a) R-20-95 Livingston Library Children's Rehabilitation Grant Packet
  - b) R-20-96 Livingston Library Roof Repair Grant Packet
  - c) R-20-97 Authorizing a Contract Extension with Waste Industries, LLC Packet
  - d) R-20-98 Authorizing a Contract with DeMaio Electrical Inc Packet
  - e) R-20-99 Authorizing Purchases under State of NJ Cooperative Purchasing Program Packet
  - f) R-20-100 Authorizing Purchases Under Morris County Cooperative Purchasing Program Packet
  - g) R-20-101 Appointing Supervising Certifying Officer and Certifying Officer for Division of Pensions and Benefits Packet
  - h) R-20-102 Temporary Budget Resolution 3/9
12. Public Comment
13. Recess

GLENN R. TURTLETAUB  
Township Clerk

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R-20-94

**RESOLUTION**

**Accepting, Approving and/or Adopting the  
Consent Agenda of March 9, 2020**

**WHEREAS**, the Township Council of the Township of Livingston has determined that certain items on its agenda which have the unanimous approval of all Councilmembers and do not require comment shall be termed the "Consent Agenda"; and

**WHEREAS**, the Township Council has determined that to increase its efficiency, the Consent Agenda shall be adopted with one resolution;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that the items on the regular agenda for March 9, 2020, attached hereto, which are preceded by an "\*" are the Consent Agenda and are hereby accepted, approved and/or adopted.

Approved as to form:

\_\_\_\_\_  
Rufino Fernandez, Jr. Mayor

\_\_\_\_\_  
Sharon L. Weiner  
Township Attorney

\_\_\_\_\_  
Glenn R. Turtleaub, Township Clerk

Adopted: 3/9/20

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**EXHIBIT B**  
**RESOLUTION II**

Resolution to Apply for Funds: Two copies of this resolution must be included in the completed application. Each of the municipality and the library/nonprofit agency/association library must certify that they are authorizing their governing bodies to submit this grant application. This resolution may be executed in counterparts, each of which shall be an original and all of which together shall be one instrument.

The Township of Livingston and the Livingston Public Library  
Municipality Library/Nonprofit Agency

hereby certify that permission has been granted to apply for the project entitled the New Jersey Library Construction Bond Act, in the amount of:

\$ 72,500

The filing of this application was authorized at the official meeting of the governing body of the Municipality/Library/Nonprofit Agency held on: March 9, 2020.

**For the Municipality:**

\_\_\_\_\_  
Signature

Barry R. Lewis, Jr., Township Manager  
\_\_\_\_\_  
Typed Name and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Certification Signature

Glenn Turteltaub, Township Clerk  
\_\_\_\_\_  
Typed Name and Title

\_\_\_\_\_  
Date

**For the Library/Non-Profit Agency:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed Name and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Certification Signature

\_\_\_\_\_  
Typed Name and Title

\_\_\_\_\_  
Date

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**EXHIBIT B**  
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The Township of Livingston and the Livingston Public Library  
Municipality Library/Nonprofit Agency

hereby certify that permission has been granted to apply for the project entitled the New Jersey Library Construction Bond Act, in the amount of:

\$ \$627,900

The filing of this application was authorized at the official meeting of the governing body of the Municipality/Library/Nonprofit Agency held on: March 9, 2020.

**For the Municipality:**

\_\_\_\_\_  
Signature  
Barry R. Lewis, Jr., Township Manager  
\_\_\_\_\_  
Typed Name and Title  
  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Certification Signature  
Glenn Turteltaub, Township Clerk  
\_\_\_\_\_  
Typed Name and Title  
  
\_\_\_\_\_  
Date

**For the Library/Non-Profit Agency:**

\_\_\_\_\_  
Signature  
  
\_\_\_\_\_  
Typed Name and Title  
  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Certification Signature  
  
\_\_\_\_\_  
Typed Name and Title  
  
\_\_\_\_\_  
Date

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**RESOLUTION AUTHORIZING A CONTRACT EXTENSION WITH WASTE INDUSTRIES, LLC**

WHEREAS, the Township of Livingston has a need for the collection and removal of recyclable materials from its residents and other Township locations that cannot otherwise be performed by Township employees; and

WHEREAS, the Township awarded a three (3) year contract with an option to renew for an additional two (2) years at the sole discretion of the Township of Livingston to Giordano Company, Inc.; and

WHEREAS, R-18-129 authorized the assignment of the recycling collection contract from Giordano Company, Inc. to Waste Industries, LLC; and

WHEREAS, the price as per the original contract is as follows: Year 4 - \$425,000; and Year 5 - \$425,000; and

WHEREAS, the Township Manager recommends exercising the option to extend the contract with Waste Industries, LLC for a period of two (2) years effective July 1, 2020; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2020 budget under account 0-01-26-305-003-250 and funding for years 2021 and 2022 is subject to the appropriation of sufficient funds in the 2021 and 2022 municipal budgets.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Livingston, in the County of Essex, State of New Jersey, that it authorizes the Township Manager to extend the contract with Waste Industries, LLC for two (2) years effective July 1, 2020 for the collection and removal of recyclable materials from residents and other Township locations.

\_\_\_\_\_  
Rufino Fernandez, Jr., Mayor

\_\_\_\_\_  
Glenn R. Turtletaub, Township Clerk

Approved as to form:

\_\_\_\_\_  
Sharon L. Weiner, Township Attorney

Adopted:            March 9, 2020

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**RESOLUTION AUTHORIZING A CONTRACT WITH DeMAIO ELECTRICAL COMPANY, INC.**

WHEREAS, the Township of Livingston ("Township") has a need for the effluent pump station upgrades that cannot otherwise be performed by its regular employees; and

WHEREAS, on January 23, 2020, the Township of Livingston issued Bid No. 018-2019 as a re-bid to solicit bids from contractors experienced in effluent pump station upgrades; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on January 23, 2020 and as a result twenty-two (22) bid packages were requested; and

WHEREAS, on February 12, 2020, three (3) bids were received by the bid deadline and publicly read; and

WHEREAS, DeMaio Electrical Company, Inc. was identified as the lowest responsive and responsible bidder whose bid meets all of the requirements of the bid specifications, complies with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.S.A. 17:27 et seq., is responsive and responsible; and

WHEREAS, the Director of Utilities has evaluated the proposal for qualifications, experience, and cost reasonableness, and recommends the award of a contract to DeMaio Electrical Company, Inc.; and

WHEREAS, the Township Manager is recommending the award of a contract to DeMaio Electrical Company, Inc. in an amount not to exceed \$162,900.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in account C-09-55-019-006-002 and C-09-55-018-001-006.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Livingston, in the County of Essex, State of New Jersey, that it authorizes the Township Manager to enter into a contract with DeMaio Electrical Company, Inc. in an amount not to exceed \$162,900.00.

\_\_\_\_\_  
Rufino Fernandez, Jr., Mayor

\_\_\_\_\_  
Glenn R. Turtletaub, Township Clerk

Approved as to form:

\_\_\_\_\_  
Sharon L. Weiner, Township Attorney

Adopted: March 9, 2020

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**AUTHORIZING PURCHASES UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Township of Livingston, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and,

WHEREAS, the Township of Livingston has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Livingston intends to enter into contracts with the attached referenced State contract vendors through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to current State contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Livingston authorizes the purchase of certain goods and services from those approved New Jersey State contract vendors on the attached list, pursuant to all the conditions of the individual State contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds shall be certified at such time as the goods or services are called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2020 or upon the expiration of the vendors' contract, whichever event first occurs.

\_\_\_\_\_  
Rufino Fernandez, Jr., Mayor

\_\_\_\_\_  
Glenn R. Turtletaub, Township Clerk

Approved as to form:

\_\_\_\_\_  
Sharon L. Weiner, Township Attorney

Adopted: March 9, 2020

Referenced State Contract Vendors

<b>R-20-99</b>			
<b>Commodity/Service</b>	<b>Vendor</b>	<b>Contract #</b>	<b>Contract End Date</b>
Aboveground Fuel Tanks Installation, Removal, Repair and Related Equipment	Ted Slack Environmental Services, Inc.	42266	8/28/2020
Aboveground Fuel Tanks Installation, Removal, Repair and Related Equipment	Independence Constructors	42270	8/28/2020
Auctioneering Services: Internet Auctions to Sell Surplus Property	Municibid	19-GNSV1-00696	4/30/2022
Automotive Lubricants: Engine/Gear Oils, Greases, ATF, Tractor Fluid & Hyd. Oils	Petrochoice/Craft Oil Corporation	81514	9/29/2020
Automotive Parts for Heavy Duty Vehicles	Beyer Bros Corp	42069	8/9/2020
Automotive Parts for Heavy Duty Vehicles	Dover Brake & Clutch, Inc.	42094	8/9/2020
Automotive Parts for Heavy Duty Vehicles	Route 23 AutoMall	42073	8/9/2020
Automotive Parts for Heavy Duty Vehicles	Trius, Inc.	42108	8/9/2020
Breakaway Upost Sign Support	Garden State Highway Products	87100	3/30/2020
M0483- Computers, Equipment, Peripherals & Related Services	Dell Marketing L.P.	19-TELE-00656	3/31/2020
M0483- Computers, Equipment, Peripherals & Related Services	CDW Government, LLC	19-TELE-00656	3/31/2020
M0483- Computers, Equipment, Peripherals & Related Services	SHI International Corp.	19-TELE-00656	3/31/2020
M0483- Computers, Equipment, Peripherals & Related Services	Ocean Computer Group, Inc.	19-TELE-00656	3/31/2020
M0483- Computers, Equipment, Peripherals & Related Services	EMC Corporation	89968	3/31/2020
M0483- Computers, Equipment, Peripherals & Related Services	HP, Inc.	89974	3/31/2020
Computers, Equipment, Peripherals & Related Services	CDW Government, LLC	40166	3/31/2020
Computers, Equipment, Peripherals & Related Services	Microsoft	40166	3/31/2020
Computers, Equipment, Peripherals & Related Services	SHI International Corp.	40166	3/31/2020
Copiers, Maintenance and Supplies	Xerox Corporation	40469	1/11/2021
Copiers, Maintenance and Supplies	Ricoh USA, Inc.	40467	1/11/2021
Fence, Chain Link (Installation & Replacement)	Consolidated Steel & Aluminum Fence Co., Inc.	88680	10/31/2020



Referenced State Contract Vendors

Firefighter Protective Clothing and Equipment	Skylands Area Fire Equipment & Training, LLC	17-FLEET-00810	6/14/2022
Firefighter Protective Clothing and Equipment	Firefighter One, LLC	17-FLEET-00807	6/14/2022
GSA/FSS Reprographics Schedule Use	Xerox Corporation	51145	12/31/2020
GSA/FSS Reprographics Schedule Use	Ricoh USA, Inc.	51164 & 51165	12/31/2020
Facilities, Maintenance Repair & Operations (MRO) & Industrial Supplies	Grainger	19-FLEET-00566	6/30/2023
Inspection of Fire Suppression	Johnson Controls Fire Protection	83717	10/23/2020
Law Enforcement Firearms Equipment and Supplies	Atlantic Tactical, Inc.	EET-00732 & 17-FLEET-	5/14/2023
Law Enforcement Firearms Equipment and Supplies	Eagle Point Gun Shop	17-FLEET-00721	5/14/2023
Law Enforcement Firearms Equipment and Supplies	Gen-EI Safety and Industrial Products	17-FLEET-00722	5/14/2023
Law Enforcement Firearms Equipment and Supplies	General Sales Administration	17-FLEET-00760	5/14/2023
Law Enforcement Firearms Equipment and Supplies	Lawman Supply Co., NJ Inc.	17-FLEET-00740, 17-FLEET-00754 & 17-FLEET-00751	5/14/2023
Law Enforcement Firearms Equipment and Supplies	L3 Mobile Vision, Inc.	17-FLEET-00731	5/14/2023
Law Enforcement Firearms Equipment and Supplies	MPH Industries, Inc.	17-FLEET-00755	5/14/2023
Law Enforcement Firearms Equipment and Supplies	Turn Out Fire and Safety	17- FLEET-00751, 17-FLEET-00752, 17-FLEET-00778, 17-FLEET-00813, 17-FLEET-00113 & 16-FOOD-00113	5/14/2023
Maintenance & Repair Heavy Duty Vehicles	Route 23 AutoMall	89262	7/20/2020
OEM Automotive Parts for Light Duty Vehicles	Beyer Bros Corp	19-FLEET-00922	8/4/2022
OEM & NON-OEM Maintenance and Repair Services for Light/Medium Duty Vehicles	American Hose & Hydraulics Co.	40866	3/17/2020
OEM & NON-OEM Maintenance and Repair Services for Light/Medium Duty Vehicles	Beyer Bros Corp	40801	3/17/2020
OEM & NON-OEM Maintenance and Repair Services for Light/Medium Duty Vehicles	Route 23 AutoMall	40812	3/17/2020
OEM & NON-OEM Maintenance and Repair Services for Light/Medium Duty Vehicles	A. Lembo Car & Truck Collision	40825	3/17/2020
M7000-Data Communications Equipment	Dell Marketing L.P.	89967	3/31/2020
M7000-Data Communications Equipment	CDW Government, LLC	89967	3/31/2020

Referenced State Contract Vendors

M7000-Data Communications Equipment	Ocean Computer Group, Inc.	89967	3/31/2020
M7000-Data Communications Equipment	Hewlett Packard Enterprise Company	40116	3/31/2020
Non-OEM Automotive Parts & Accessories for Light Duty Vehicles	Samuels, Inc. d/b/a Buy-Wise Auto Parts	85992	2/25/2021
Non-OEM Automotive Parts & Accessories for Light Duty Vehicles	Route 23 AutoMall	86007	2/25/2021
Parks & Playground Equipment	Ben Shaffer Recreation, Inc.	16-FLEET-00135	5/30/2020
Parts & Repairs for Road Maintenance Equipment	Trius, Inc.	85856	1/29/2021
Parts & Repairs for Road Maintenance Equipment	WE Timmerman	85857	1/29/2021
Parts & Repairs for Lawn & Grounds Equipment	Storr Tractor Company	43038	2/16/2021
Police Vehicles: Sedans & Sport Utility Vehicles	Chas S. Winner Inc.	88728	3/15/2020
Police Vehicles: Sedans & Sport Utility Vehicles	Hertrich Fleet Services	88729	3/15/2020
Purchasing Card System for the State of NJ	FIA Card Services, NA, A Bank of America Company	84675	8/7/2020
Radio Communication Equipment	Micro Strategies, Inc.	83921	4/30/2020
Radio Communication Equipment and Accessories	Motorola Communications & Electronics, Inc/	83909	4/30/2020
Radio Communication Equipment and Accessories	Regional Communications	83909	4/30/2020
Rock Salt & Treated Salt for Roadways	East Cost Salt Dist., Inc.	40200	4/30/2020
Sign Blanks	Garden State Highway Products	86462	6/30/2020
Snow Plow Parts, and Grader & Loader Blades	A & K Equipment Company, Inc.	88273	1/19/2021
Software License and & Related Services	Dell Marketing L.P.	89850	6/30/2020
Software License and & Related Services	SHI International Corp.	89851	6/30/2020
Telecommunications Equipment & Services	e.Comm Technologies	80802	1/31/2021
Telecommunications Equipment & Services	Johnston GP, Inc.	80802	1/31/2021
Tires, Tubes and Services	Firestone Complete AutoCare	19-FLEET 00708	3/31/2024
Tires, Tubes and Services	Cleveland Auto Tire	19-FLEET 00708	3/31/2024
Tree Trimming, Pruning & Removal Services	Rich Tree Service, Inc.	18-DPP-00645	12/31/2021
Office Supplies & Recycled Copy Paper	W B Mason Company, Inc.	0000003	5/6/2020
Ultra Low Sulfur Diesel and Biodiesel	National Fuel Oil, Inc.	82768	3/31/2020
Vehicles, Trucks, Pick-Up Class 1	Chas S. Winner Inc.	17-Fleet-00212	7/27/2020

Referenced State Contract Vendors

Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option	Chas S. Winner Inc.	88726	3/25/2020
Vehicles, Trucks, Class 3, Pickup/Utility, with Snow Plow Option	Chas S. Winner Inc.	88758	3/18/2020
Wireless Devices and Services	Verizon Wireless	82583	6/30/2020

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**AUTHORIZING PURCHASES UNDER MORRIS COUNTY COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Township of Livingston, pursuant to N.J.S.A. 40A:11-11(6) and N.J.A.C. 5:34-7.1 et seq. may by resolution and without advertising for bids, purchase any goods or services under a County Cooperative Pricing System of which the Township is a member; and,

WHEREAS, the Township of Livingston is a member of the Morris County Cooperative Pricing System and has the need on a timely basis to purchase goods or services using those contracts; and

WHEREAS, the Township of Livingston intends to enter into contracts with the attached referenced County contract vendors through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current County contracts.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Livingston authorizes the purchase of certain goods and services from those approved Morris County Cooperative Pricing System vendors on the attached list, pursuant to all the conditions of the individual County contracts; and

BE IT FURTHER RESOLVED, by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds shall be certified at such time as the goods or services are called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED, that the duration of this authorization shall be until December 31, 2020 or upon the expiration of the vendors' contract, whichever event first occurs.

\_\_\_\_\_  
Rufino Fernandez, Jr., Mayor

\_\_\_\_\_  
Glenn R. Turtletaub, Township Clerk

Approved as to form:

\_\_\_\_\_  
Sharon L. Weiner, Township Attorney

Adopted:            March 9, 2020

Referenced Morris County Cooperative Purchasing Program Vendors

**R-20-100**

<b>Commodity/Service</b>	<b>Vendor</b>	<b>Contract #</b>
Catch Basins and Manhole Castings	Campbell Foundry Company	14
Concrete Blocks & Granite Curb Blocks	Continental Hardware, Inc.	19A
Crushed Stones, Gravel & Sand	Eastern Concrete Materials, Inc.	9
Disposal/Recycling of Municipal Road Clean-up Materials	Deer Carcass Removal Service, LLC	49, Category A
Disposal/Recycling of Municipal Road Clean-up Materials	Custom Environmental Management Company (CEMCO), Inc.	49, Category B & C
Fencing Materials and Installation	Challenger Fence, Inc	53A
Landscaping Materials & Supplies	Grass Roots Turf Products	42
Landscaping Materials & Supplies	Ben Shaffer Recreation	42
Motor Gasoline	Griffith-Allied Trucking d/b/a Allied Oil	1
Police Uniforms & Equipment	Atlantic Tactical, Inc.	23 A, D & I
Police Uniforms & Equipment	Fit-Rite Uniform Company, Inc.	23 B, C, E, F, G & H
Preventative Maintenance/Repair of Emergency Generators	Atlantic Switch & Generator, LLC	46
Road Resurfacing	Micro Pave Systems, Inc.	6, Category C
Road Resurfacing	Tilcon New York, Inc.	6 A, B & G
Road Resurfacing	Schifano Construction Company	6 A, B & G
Road Resurfacing	Cifelli & Son General Contracting, Inc.	F
Rock Salt and Calcium Chloride	Morton Salt	3, Category I, VI & VII
Traffic Paint	The Sherwin Williams Company	27
Traffic Sign Materials	Garden State Highway Products, Inc.	28 A-G, I
Traffic Striping on Roadways	Denville Line Painting, Inc.	36
Tree Removal, Trimming and Stump Grinding Services	Tree King, Inc.	18 A, B & C
Tree Removal, Trimming and Stump Grinding Services	Rich Tree Service	18 B
Water Meters/Data Recorders & Radio Frequency Meter Interface Unit	Rio Supply, Inc.	47, Category B,D, E, F & H

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R-20-101

**RESOLUTION**

**APPOINTING SUPERVISING CERTIFYING OFFICER AND  
CERTIFYING OFFICER FOR DIVISION OF PENSIONS AND BENEFITS**

**WHEREAS**, the State of New Jersey, Department of Treasury, Division of Pensions and Benefits requires all municipalities to designate a Certifying Officer and Supervising Certifying Officer to certify the accuracy and validity of all documents and forms sent to the Division of Pensions and Benefits;

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Livingston, in the County of Essex, State of New Jersey as follows, effective immediately;

1. The Certifying Officer for the Township of Livingston Public Employees Retirement System and Police and Fire Retirement System shall be Nada Akmal, Assistant Chief Financial Officer;
2. The Supervising Certifying Officer for the Township of Livingston Public Employees Retirement System and Police and Fire Retirement System shall be Barry R. Lewis, Jr., Township Manager;
3. A certified copy of this resolution shall be filed with the State of New Jersey, Department of Treasury, Division of Pensions and Benefits.

Approved as to form:

\_\_\_\_\_  
Rufino Fernandez, Jr.                      Mayor

\_\_\_\_\_  
Sharon L. Weiner  
Township Attorney

\_\_\_\_\_  
Glenn R. Turteltaub                      Township Clerk

Adopted: 3/9/20